

Case Name: _____ Case No.: _____

AGREEMENT TO MEDIATE

This agreement is made between _____ and

_____, who are referred to as "the parties."

The mediation will be confidential discussion aimed at resolving the issues in dispute

The mediators are neutral. Their purpose is to help the parties come to an agreement. They do not favor either party. They do not and will not give legal advice to either party.

The mediators will not be serving as advocates, lawyers or judges.

The parties will honestly attempt to reach an agreement that is acceptable to both parties.

Either party can end the mediation at any time.

Nothing that is said, written, or done by either party or by a mediator can be used in this case if an agreement is not reached, except as agreed by the parties or:

If a mediator has reason to believe either (a) that a child has been abused, abandoned, or neglected, or, (b) that mediation communications must be revealed to prevent a crime that poses a serious risk of bodily injury or death, then, the mediator has a legal duty to report the circumstances to proper authorities.

I HAVE READ, UNDERSTAND, AND AGREE WITH ALL THE TERMS WRITTEN ABOVE.

Dated: _____

(Plaintiff)

(Defendant)

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF _____
SMALL CLAIMS DEPARTMENT

_____,) CASE NO. _____
_____,)
_____,) AFFIDAVIT OF COMPETENCE
PLAINTIFF(S),) NON-MILITARY SERVICE,
vs. _____) AND AMOUNT DUE
_____,)
_____,)
_____,)
DEFENDANT(S).)
STATE OF IDAHO)
) ss:
County of _____)

I swear under oath:

1. I am 18 years of age or older, and I am the plaintiff in this case, or the plaintiff in this case is a business organization and I am an owner or employee of the plaintiff.
2. The defendant(s) in this case is at (are) least 18 years of age, and is (are) not incompetent.
3. Check one:
☐ Defendant(s) in this case is (are) not a member of the uniformed services as defined by the Servicemembers Civil Relief Act of 2003, I know this because: _____

OR ☐ I am unable to determine whether Defendant(s) is (are) a member of the uniformed services as defined by the Servicemembers Civil Relief Act of 2003.

OR ☐ Defendant(s) is (are) in the uniformed services as defined by the Servicemembers Civil Relief Act of 2003, and has waived in writing Defendant's rights under the Act.

4. This claim ___ does ___ does not include interest, finance charges, or late charges.
If so, the amounts are calculated as follows: _____

5. I have attached copies of all relevant documents to this affidavit.

6. The defendant(s) owes the plaintiff: \$ _____
Deduct payments made since the date of filing: \$ _____
Add fees for filing claim and service of process: \$ _____
TOTAL DUE AND OWING \$ _____

Signature

Subscribed and sworn to before me this date: _____.

Deputy Clerk or Notary Public
If Notary, my commission expires:

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF _____
SMALL CLAIMS DEPARTMENT

_____)	CASE NO. _____
_____)	
_____)	AFFIDAVIT OF COMPETENCE
PLAINTIFF(S),)	AND NON-MILITARY SERVICE
vs.)	
_____)	
_____)	
DEFENDANT(S).)	
STATE OF IDAHO)	
) ss:	
County of _____)	

I swear under oath:

1. I am over 18 years of age, and I am the plaintiff in this case, or the plaintiff in this case is a business organization and I am an owner or employee of the plaintiff.
2. The defendant(s) in this case is (are) at least 18 years of age, and not incompetent.
3. Check one:
☐ Defendant(s) in this case is (are) not in the uniformed services as defined by the Servicemembers Civil Relief Act of 2003; I know this because _____

OR ☐ I am unable to determine whether the defendant(s) is (are) in the uniformed services as defined by the Servicemembers Civil Relief Act of 2003,

OR ☐ Defendant(s) is (are) in the uniformed services as defined by the Servicemembers Civil Relief Act of 2003, and has waived in writing Defendant's rights under the Act.

Signature

Subscribed and sworn to before me this date: _____

Deputy Clerk or Notary Public
If Notary, my commission expires: _____